#### IN THE UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF TENNESSEE

SNMP RESEARCH, INC. and SNMP	§	Case No. 3:20-cv-00451-CEA-DCP
RESEARCH INTERNATIONAL, INC.,	§	
	§	
Plaintiffs,	§	
	§	
<b>v.</b>	§	Jury Demand
	§	
<b>BROADCOM INC.; BROCADE</b>	§	
COMMUNICATIONS SYSTEMS LLC;	§	
AND EXTREME NETWORKS, INC.,	§	
	§	
Defendants.	§	
	§	

## BUILD ENVIRONMENT STIPULATION REGARDING EXOS PRODUCTS

Defendant Extreme Networks, Inc. ("Extreme"), on the one hand, and Plaintiffs SNMP Research, Inc. and SNMP Research International, Inc. (collectively, "SNMP Research"), on the other hand, stipulate that:

Extreme has produced through discovery in the instant litigation versions of source code which are listed below in Exhibit A (herein referred to as "Version" or "Versions"). The Versions have been and are compiled and linked into a binary form (*i.e.*, object code) which can be run by computer hardware. Herein, the binary form of source code refers to the object code produced by the compilation and linking of a Version of the source code.

Each Extreme product that is listed below in Exhibit A as "Listed Extreme Product" contains or has contained one or more Versions in binary form which is then run by the Listed Extreme Product. Each Extreme product that is listed below in Exhibit A as "Listed Extreme Universal Product" contains or has contained one or more Versions in binary form which is then distributed with the Listed Extreme

Universal Product and run by the Listed Extreme Universal Product only when the user enables the Switch Engine (EXOS) persona on that product.

Each Listed Extreme Product that previously shipped or ships to a customer contains one Version in binary form. By this Stipulation, Extreme represents that each particular Version in binary form includes the binary form of every line of source code originating from SNMP Research (*i.e.*, lines in those files including the SNMP Research copyright notice) that is included in that particular Version's source code. For example, without limitation, EXOS Version 11.2.1 is one of multiple Versions that previously shipped or ships to customers in binary form with the X450 Listed Extreme Product, and by this Stipulation, Extreme represents that EXOS Version 11.2.1 in binary form includes the binary form of every line of source code originating from SNMP Research (*i.e.*, lines in those files including the SNMP Research copyright notice) that is included in the source code for EXOS Version 11.2.1.

By entering into this stipulation, SNMP Research agrees that it will not demand production of Extreme's build environment for the products mentioned in this stipulation, including any build tools or build files, in the instant litigation for any purpose whatsoever.

This stipulation is made in connection with the instant litigation only.

#### Exhibit A

#### **Listed Extreme Products:**

BD 10K; BD 20K; BD 8800; BD X; Bundle BD X8; E4G-200; E4G-400; Ericsson; Extreme Switching X435; Extreme Switching X465; Extreme Switching X590; Extreme Switching X695; Summit X150; Summit X250; Summit X350; Summit X430; Summit X440; Summit X440-G2; Summit X450; Summit X450-G2; Summit X460; Summit X460-G2; Summit X480; Summit X670; Summit X670; Summit X670; Summit X670; Summit X670; Summit X670.

## **Listed Extreme Universal Products:**

Extreme Switching 5320; Extreme Switching 5420; Extreme Switching 5520; Extreme Switching 5720; 7520; 7720.

## Versions:<sup>1</sup>

EXOS 11.2.1; EXOS 11.2.2; EXOS 11.2.3; EXOS 11.3.1; EXOS 11.3.2; EXOS 11.3.3; EXOS 11.3.4; EXOS 11.4.1; EXOS 11.4.2; EXOS 11.4.3; EXOS 11.4.4; EXOS 11.5.1; EXOS 11.5.2; EXOS 11.6.1; EXOS 11.6.2; EXOS 11.6.3; EXOS 11.6.4; EXOS 11.6.5; EXOS 12.0.1; EXOS 12.0.2; EXOS 12.0.3; EXOS 12.0.4; EXOS 12.0.5; EXOS 12.1.1; EXOS 12.1.2; EXOS 12.1.3; EXOS 12.1.4; EXOS 12.1.5; EXOS 12.1.6; EXOS 12.1.7; EXOS 12.2.1; EXOS 12.2.2; EXOS 12.3.1; EXOS 12.3.2; EXOS 12.3.3; EXOS 12.3.4; EXOS 12.3.5; EXOS 12.3.6; EXOS 12.4.1; EXOS 12.4.2; EXOS 12.4.3; EXOS 12.4.4; EXOS 12.4.5; EXOS 12.5.0; EXOS 12.5.1; EXOS 12.5.2; EXOS 12.5.3; EXOS 12.5.4; EXOS 12.5.5; EXOS 12.6.1; EXOS 12.6.2; EXOS 12.6.3; EXOS 12.6.4; EXOS 12.6.5; EXOS 12.7.1; EXOS 15.1.1; EXOS 15.1.2; EXOS 15.1.3; EXOS 15.1.4; EXOS 15.1.5; EXOS 15.2.1; EXOS 15.2.2; EXOS 15.2.3; EXOS 15.2.4; EXOS 15.3.1; EXOS 15.3.2; EXOS 15.3.3; EXOS 15.3.4; EXOS 15.3.5; EXOS 15.4.0; EXOS 15.4.1; EXOS 15.4.2; EXOS 15.5.0; EXOS 15.5.1; EXOS 15.5.2; EXOS 15.5.3; EXOS 15.5.4; EXOS 15.5.5; EXOS 15.6.1; EXOS 15.6.2; EXOS 15.6.3; EXOS 15.6.4; EXOS 15.6.5; EXOS 15.7.1; EXOS 15.7.2; EXOS 15.7.3; EXOS 15.7.4; EXOS 16.1.1; EXOS 16.1.2; EXOS 16.1.3; EXOS 16.1.4; EXOS 16.1.5; EXOS 16.2.1; EXOS 16.2.2; EXOS 16.2.3; EXOS 16.2.4; EXOS 16.2.5; EXOS 21.1.0; EXOS 21.1.1; EXOS 21.1.2; EXOS 21.1.3; EXOS 21.1.4; EXOS 21.1.5; EXOS 22.1.1; EXOS 22.2.1; EXOS 22.3.1; EXOS 22.4.1; EXOS 22.5.1; EXOS 22.6.1; EXOS 22.7.2; EXOS 22.7.3; EXOS 22.7.4; EXOS 22.7.5; EXOS 30.1.1; EXOS 30.2.1; EXOS 30.2.2; EXOS 22.7.1; EXOS 30.3.1; EXOS 30.4.1; EXOS 30.5.1; EXOS 30.6.1; EXOS 30.7.1; EXOS 30.7.2; EXOS 30.7.3; EXOS 31.1.1; EXOS 31.2.1; EXOS 31.3.1; EXOS 31.3.100; EXOS 31.4.1; EXOS 31.5.1; EXOS 31.6.1; EXOS 31.6.2; EXOS 31.7.1; EXOS 32.1.1; EXOS 32.2.1; EXOS 32.3.1; EXOS 32.4.1.

 $<sup>^1</sup>$  During the process of compiling and linking EXOS Versions,  $k_a$  and  $v_a$  files are generated using a SNMP tool. Extreme has produced the  $k_a$  and  $v_a$  files that were generated during the compilation and linking of Version EXOS 32.4.1.10 on the source code computer ("Generated Files"). Files or files that are substantially similar to the Generated Files are generated during the process of compiling and linking of EXOS Versions listed in Exhibit A. The definition of Version for EXOS Versions includes the Generated Files.

# Respectfully submitted,

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